

Graff, Esq.

Matthew J. Silverstein, Esq.  
 3 Middle Patent Road  
 Armonk, NY 10504  
 Telephone: (212)-381-6055  
 dgraff@graffsilversteinllp.com  
[msilverstein@graffsilversteinllp.com](mailto:msilverstein@graffsilversteinllp.com)



Order Filed on August 2, 2023

by Clerk

U.S. Bankruptcy Court  
District of New Jersey**PARSONS BEHLE & LATIMER**

Darren Neilson, Esq. (*pro hac vice* pending)  
 201 S Main St, #1800  
 Salt Lake City, UT 84111  
 Telephone: (801) 532-1234  
[DNeilson@parsonsbehle.com](mailto:DNeilson@parsonsbehle.com)

*Counsel for Telegraph Marketplace Partners II, LLC*

**UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY**

In re:

BED BATH & BEYOND INC., *et al.*,Debtors.<sup>2</sup>

Chapter 11

Case No. 23-13359 (VFP)

(Joint Administration Requested)

**ORDER CONFIRMING ABSENCE OF AUTOMATIC STAY**

The relief set forth on the following pages, is **ORDERED**.

DATED: August 2, 2023

\_\_\_\_\_  
 Honorable Vincent F. Papalia  
 United States Bankruptcy Judge

<sup>2</sup> The last four digits of Debtor Bed Bath & Beyond Inc.'s tax identification number are 0488. A complete list of the Debtors in these chapter 11 cases and each such Debtor's tax identification number may be obtained on the website of the Debtors' proposed claims and noticing agent at <https://restructuring.ra.kroll.com/bbby>. The location of Debtor Bed Bath & Beyond Inc.'s principal place of business and the Debtors' service address in these chapter 11 cases is 650 Liberty Avenue, Union, New Jersey 07083.

Upon Telegraph Marketplace Partners II, LLC's Motion to Confirm the Absence of the Automatic Stay, under Bankruptcy Code Section 105(a), 362(b)(10), 541(b)(2), and 365(c)(3) for confirmation of the absence of the automatic stay as to certain property as hereinafter set forth, and for cause shown, and due notice having been given, and the Debtor having withdrawn its objection, it is hereby

ORDERED that the automatic stay is inapplicable, and movant is permitted to resume and prosecute to conclusion its currently pending action before the Firth Judicial District Court for the County of Washington, State of Utah, Case Number 230500322 concerning the movant's rights in the following real property: 844 Telegraph Street, Suite 2, Washington, Utah, 84780.

It is further ORDERED that the movant may join the Debtor and any trustee appointed in this case as defendants in its action(s) irrespective of any conversion to any other chapter of the Bankruptcy Code.

The movant shall serve this order on the debtor, any trustee and any other party who entered an appearance on the motion.